

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JUAN GONZALEZ,

Plaintiff,

v.

WHOLE FOODS MARKET,

Defendant.

Civil Action No. 22-6126 (JXN) (ESK)

OPINION

NEALS, District Judge:

Currently before the Court is Plaintiff Juan Gonzalez’s Amended Complaint [ECF No. 6], which is subject to *sua sponte* screening by the Court. 28 U.S.C. § 1915(e)(2). The Court finds that Plaintiff’s Amended Complaint does not comply with the requirements of Rule 8 of the Federal Rules of Civil Procedure and will dismiss Plaintiff’s Amended Complaint with prejudice.

Plaintiff initiated this action on October 18, 2022, alleging that he was terminated for consuming coffee he did not pay for. Compl., ECF No. 1. As a result, Plaintiff alleges that his “reputation went down the drain[.]” *Id.* at 3. On November 1, 2022, the Court entered an order granting Plaintiff’s application to proceed *in forma pauperis* and dismissing Plaintiff’s Complaint without prejudice to the filing of an amended complaint. ECF No. 4. In the Court’s Opinion, the Court noted that “Plaintiff has not asserted any claims or causes of action arising under federal law, nor has Plaintiff alleged that the parties are citizens of different states and the amount in controversy exceeds the sum or value of \$75,000.” *See* ECF No. 3 at 3

On December 1, 2022, Plaintiff filed an Amended Complaint. ECF No. 6. In the Amended Complaint, Plaintiff appears to allege that he was fired from Whole Foods. Plaintiff’s Amended

Complaint, however, does not allege any federal causes of action or that the parties are citizens of different states and the amount in controversy exceeds the sum or value of \$75,000. Thus, Plaintiff's Amended Complaint fails to cure the deficiencies of the original Complaint. The Court previously identified these deficiencies and gave Plaintiff an opportunity to cure them. Because Plaintiff has, again, failed to comply with the requirements of Fed. R. Civ. P. 8, the Court will dismiss Plaintiff's Amended Complaint with prejudice. *See Moriarty v. DiBuonaventura*, No. 14-cv-2492 (JBS/AMD), 2015 WL 1469515, at *4 (D.N.J. Mar. 30, 2015) (dismissing the plaintiff's amended complaint with prejudice for failing to cure the deficiencies the court identified in the original complaint).

For the reasons stated above, Plaintiff's Amended Complaint is **DISMISSED WITH PREJUDICE**. An appropriate Order accompanies this Opinion.

Date: March 7, 2023

s/ Julien Xavier Neals
JULIEN XAVIER NEALS
United States District Judge